

REMARKS

In the Office Action of April 19, 2007, the Examiner rejected claims 5 and 22 as being indefinite for having the phrase "for example". By this amendment, these claims have been amended to overcome this rejection.

The Examiner rejected claims 1 and 2 as being anticipated by Dussinger et al. Claim 3 was rejected as anticipated by Eastman and claims 1-5, 9-11 and 16 were rejected as obvious over Lindemuth et al. Claims 33-35 were rejected as obvious over Lindemuth in view of Dussinger et al, the Examiner relying upon Dussinger et al for disclosing a heat pipe having a porous structure disposed within an upper wall and lower wall with copper posts improving heat transfer. The Examiner found that it would have been obvious to use copper posts with the heat pipe of Lindemuth. The Examiner stated that the recitation of "by means of DCB bonding is considered to be a method limitation which bears no patentable weight.

Claim 35 has been amended to state that the posts are connected to the imposing wall by DCB bonding and, in addition, particles of ceramic material are connected to the inner surface of the heat pipe body by DCB bonding.

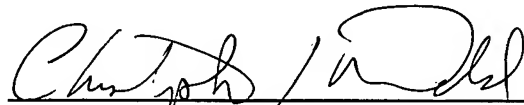
Method limitations within an apparatus claim, referred to as a product-by-process claim, must be considered to the extent that the method defines structure. In this instance, it requires a specific bonding structure of copper with copper or copper with ceramic without any further bonding material inbetween. The resulting DCB bonding would be visible upon inspection of the resultant structure. Use of DCB bonding

enables the heat pipe to be made in one bonding step in which the walls and posts are bonded as well as the ceramic material and inner surface of the heat pipe body without danger that liquid metal material flows into the spaces between the particles of ceramic material, blocking the channels between the particles of ceramic material or the porous structure.

DCB bonding results in specific structure not shown or suggested by the prior art. The claims are allowable and favorable action is eagerly and earnestly solicited. If any issues remain, and the Examiner believes a telephone conversation would resolve such issues, the Examiner is urged to contact the undersigned attorney.

If any fees are due or owing, the Commissioner is authorized to charge Deposit Account No. 08-2455.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christopher J. McDonald", written over a horizontal line.

Christopher J. McDonald
Reg. No. 41,533

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Hoffman, Wasson & Gitler, P.C.
2461 South Clark Street, Suite 522
Arlington, Virginia 22202
(703) 415-0100

Customer No. 20741